

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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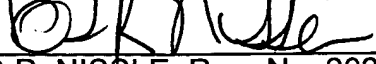
APPLICANT : JON K. CURRY
SERIAL NO. : 09/526,777
FILED : March 16, 2000
FOR : ANIMAL TOY

DECLARATION BY JON K. CURRY UNDER 37 C.F.R. 1.132,
MPEP Section 708.02

Now comes Jon K. Curry declares that:

1. He is applicant in the above-identified application.
2. He, or his licensee, Kong Co. of _____, have sold in excess of _____ animal toys as described by one or more of the pending Claims 7 to 12 in the above-identified application. These toys have been sold under the trademarks "AIR DOG", "KONG" and "THREE DOGS AND A CAT" in the countries of the United States, _____.

I hereby certify that this correspondence is being deposited with the United States Postal Service as CERTIFIED MAIL NO. 7099 3220 0003 2849 6260 RETURN RECEIPT REQUESTED in an envelope addressed to: HON. COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231 on 10-15-01.

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TOD R. NISSELE, Reg. No. 29241 DATE

1 3. Declarant understands that (1) any willful false statements and the like made herein
2 are punishable to fine or imprisonment, or both (18 U.S.C. 1001) and may
3 jeopardize the validity of the application or any patent issuing thereon, and (2) all
4 statements made of Declarant's own knowledge are true and that all statements
5 made on information and belief are believed to be true.

6
7 Further Declarant saith naught.

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9 Respectfully submitted,

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12 JON K. CURRY
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